



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

OCT 20 2009

Michael R. Dezsi, Esq.  
Fieger, Fieger, Kenney, Johnson & Giroux, P.C.  
19390 West Ten Mile Rd.  
Southfield, MI 48075-2463

RE: MUR 5818

Dear Mr. Dezsi:

On October 13, 2009, the Federal Election Commission accepted the signed conciliation agreement submitted on behalf of your client, Fieger, Fieger, Kenney, Johnson & Giroux, P.C., in settlement of a violation of 2 U.S.C. §§ 441b and 441f, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). Also on this date, the Commission determined to take no further action as to Geoffrey Nels Fieger and Vernon R. Johnson.

Additionally, on October 13, 2009, the Commission determined to take no further action as to Todd J. Weglarz; Rebecca S. Walsh; Arnold J. Matusz; Paul W. Broschay; Robert M. Giroux; Jeffrey A. Danzig; Lloyd G. Johnson; James J. Harrington, IV; Tammy J. Reiss; Victor S. Valenti; Joseph Bird; W.J. McHenry; Jack Beam; Thomas E. Bauleh; Anna Huhta; Jill Brandana; Jeffrey G. Cope; Eric Donahue; Nancy Fisher; Stephen A. Hnar; Ann Marie Keith; Michaelene Sowinski; Kathleen Fieger; Laura Bird; Jessica Broschay; Laura Broschay; Wendy Danzig; Chad M. Johnson; Sean Johnson; Ronald J. Walsh; Christine Weglarz; Rosa Bava-Valenti; Renee Beam; Shalina Kumar; Theresa Santoli; Ronald Brandana; and Jason J. Sowinski. Accordingly, the file has been closed in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B).

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Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. A. Olaya', with a stylized flourish at the end.

Phillip A. Olaya  
Attorney

Enclosure  
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED  
FEDERAL ELECTION  
COMMISSION

2009 OCT 18 PM 12:55

In the Matter of )  
Fieger, Fieger, Kenney, Johnson and Giroux, P.C. )

MURPHY  
OFFICE OF GENERAL  
COUNSEL

CONCILIATION AGREEMENT

This matter was initiated by a *sua sponte* submission from the law firm of Fieger, Fieger, Kenney & Johnson, P.C. n/k/a Fieger, Fieger, Kenney, Johnson & Giroux, P.C. ("the Firm" or "Respondent"). An investigation was conducted and the Federal Election Commission ("Commission") found probable cause to believe that there had been violations of 2 U.S.C. §§ 441a, 441b(a), and 441f in connection with contributions made to Edwards for President ("the Edwards Committee" or "the Committee") between March 2003 and January 2004.

NOW, THEREFORE, the Commission and Respondent, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(a)(4)(A)(i), do hereby agree as follows:

- I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding.
- II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. Respondent enters voluntarily into this agreement with the Commission.
- IV. The pertinent facts in this matter are as follows:

Parties

- 1. Fieger, Fieger, Kenney, Johnson & Giroux, P.C. is a law firm employing approximately 50 employees, including 16 attorneys.

2. Edwards for President was the principal campaign committee for then U.S. Senator John Edwards, a candidate for President of the United States in the Democratic primaries for the 2004 election. The Edwards Committee is a political committee within the meaning of 2 U.S.C. § 431(4).

**Applicable Law**

3. Under the Federal Election Campaign Act of 1971, as amended ("the Act"), corporations are prohibited from making contributions or expenditures from their general treasury funds in connection with the election of any candidate for federal office. 2 U.S.C. § 441h(a).

4. The Act further provides that no person shall make a contribution in the name of another person or knowingly permit his or her name to be used to effect such a contribution. 2 U.S.C. § 441f.

V. The Commission found probable cause to believe that Respondent violated 2 U.S.C. §§ 441b and 441f because it made payments to 66 individuals to reimburse them for \$131,000 in contributions to the Edwards Committee. To resolve this matter and without any admission of liability by Respondent with respect to this or any other proceeding, Respondent agrees to take the following actions:

1. Respondent will pay to the Commission the amount of \$131,000 to conciliate this matter.
2. Respondent waives the right to a refund of the contributions.
3. Respondent agrees to comply with 2 U.S.C. §§ 441b and 441f.

VI. This Conciliation Agreement represents a final resolution of this matter under review.

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VII. The Commission may review compliance with this agreement. If either party believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the appropriate United States District Court.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.


IX. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

FOR THE COMMISSION:

Thomasenia P. Duncan  
General Counsel

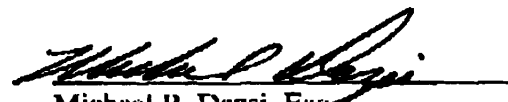
10/7/09  
\_\_\_\_\_  
Date

BY:

  
\_\_\_\_\_  
Ann Marie Terzaken  
Associate General Counsel  
for Enforcement

FOR THE RESPONDENT:

10/9/09  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Michael R. Dezsi, Esq.  
Fieger, Fieger, Kenney, Johnson  
and Giroux, P.C.

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